UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/698,778	10/27/2000	Kazuko Fukano	P5287a	7153

			EXAMINER
20178 7590 05/25/2004			PATEL, NITIN C

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ART UNIT	PAPER NUMBER
2116	

DATE MAILED: 05/25/2004

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Please find below and/or attached an Office communication concerning this application or proceeding.

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) FROM
THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed
  after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
  Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any
  earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☐ Responsive to communication(s) filed on _____.

2a)☒ This action is **FINAL**. 2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is
closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-34* is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-34* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☐ All   b)☐ Some * c)☐ None of:

      1.☐ Certified copies of the priority documents have been received.

      2.☐ Certified copies of the priority documents have been received in Application No. _____.

      3.☐ Copies of the certified copies of the priority documents have been received in this National Stage
application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)

2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
    Paper No(s)/Mail Date _____.

4) ☐ Interview Summary (PTO-413)
    Paper No(s)/Mail Date. _____ .

5) ☐ Notice of Informal Patent Application (PTO-152)

6) ☐ Other: _____.

DETAILED ACTION

1.   This is in responsive to amendment filed on April 12, 2004.

2.   Claims 1 – 34 are presented for the examination.

Claim Objections

3.   Claims 1, 12, and 23 are objected to because of the following informalities:

4.   In claim 1, replace "the processing" in line 4 with --- a processing --- as a processing has

not previously been recited in the claim.

5.   In claim 12, replace "the processing" in line 5 with --- a processing --- as a processing has

not previously been recited in the claim.

6.   In claim 23, replace "the processing" in line 6 with --- a processing --- as a processing has

not previously been recited in the claim.

Appropriate correction is required.

Claim Rejections - 35 USC § 103

7.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in
> section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are
> such that the subject matter as a whole would have been obvious at the time the invention was made to a person
> having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the
> manner in which the invention was made.

8.   Claims 1 – 34 are rejected under 35 U.S.C. 103(a) as being unpatentable over Anderson

et al. [hereinafter as Anderson], US Patent 6,134,606, and further in view of Makino, US Patent

5,495,559.

9.   As to claims 1, 12, and 23, Anderson teaches system and method for controlling

parameters in output device [electronic imaging device] operating according to information sent

from a host [850, External host computer system] comprising: a volatile memory [346, DRAM] to store operating [current] parameter values obtained from a processing [executing] of specific one or more commands [set of parameter command] from said from host device [850, External host computer] [col. 7, lines 43 – 56, col. 8, lines 42 – 52]; a controller [390, LCD controller] controls the output device [electronic imaging device] based on the operating [current] parameter values stored in the volatile memory [346, fig. 5] [col. 4, lines 51 – 53]; a first operating parameter controller [344, CPU] that handles operating parameters data in response to a set of parameter commands from the host device, said operating parameter data comprising one or more [factory default, user default] of said operating parameter values [col. 2, lines 18 – 20, col. 5, lines 38 – 52, col. 7, lines 44 – 55, col. 8, lines 10 – 15, col. 9, lines 20 - 55]; and a second operating parameter controller [410, Parameter Manager] that stores [load] into volatile memory [346] operating parameter data stored [user default] in said nonvolatile memory [341] in response to specific input [power up sequence][col. 8, lines 32 – 35, fig. 3 – 5, 8a – 8b].

However, Anderson teaches a first operating parameter controller [344] but fails to disclose explicitly a first operating parameter controller that stores into a nonvolatile memory operating parameter data stored in volatile memory in response to a first command from host device. In summary, he teaches a first operating parameter controller but fails to teach rewriting of data in non-volatile memory in response to a command sent from host.

Makino teaches a system and method for an output device [fig.1] with a first controller [1, CPU] which is receiving and discriminating the control command from a host machine and storing data in receive data buffer [7c, volatile memory] and collectively rewriting in nonvolatile memory [EEPROM][col. 2, lines 34 – 67, col. 5, lines 57 – 67, fig. 1 – 5B]. Makino's invention

for output device [printer] will quickly perform a control on a nonvolatile memory, such as initialization and rewriting of data stored in that memory, initialization of printer, and printing of data, without involving a troublesome switching operation [col. 2, lines 34 – 38, col. 3, lines 10 – 13, 20 – 23].

It would have been an obvious to one of ordinary skill in art at the time the invention to combine the teachings of Anderson and Makino because both are commonly directed to command based parameter control of an output device from the host, and Makino's system and method of discriminating control command relating to initialization or rewriting of data in nonvolatile memory from host machine, when incorporated into Anderson will quickly perform a control on a nonvolatile memory, such as initialization and rewriting of data stored in that memory, initialization of printer, and printing of data, without involving a troublesome switching operation [col. 2, lines 34 – 38, col. 3, lines 10 – 13, 20 – 23].

10.   As to claims 2, 4, 7 - 9, 13, 15, 18 – 20, 24, 26, and 29 – 31, Anderson discloses to store the plurality of operating parameter values [Parameter 1, Parameter 2, Parameter 2, Parameter n], memory with plurality of areas [710a, 710b, 710c, 710d] and control commands therefore, he teaches method of storage operation with the use of different commands to store in different areas [col. 8, lines 20 – 67, col. 9, lines 1 – 49, fig. 4 – 5, 7, and 9].

11.   As to claim 3, 14, and 25, Anderson discloses specific input as one of [initial] a the power-turning-on signal [when initially power up], reset, and initialization command with memory initialization processor [344, CPU] for initializing at least the operating parameter storage area [current parameters area] of volatile memory [346, DRAM] in response to said specific input [power up], and second operating parameter controller [422, Command handler]

for storing [loading] operating parameter [factory default parameters] into volatile memory from

nonvolatile memory after said initialization [col. 8, lines 32 – 52, fig. 9].

12.   As to claims 5 - 6, 16 – 17, and 27 - 28, Anderson teaches second operating parameter

controller [344, CPU] to store [load] a predefined default [factory default] set of operating

parameter data into volatile memory [when initially power up factory default from non-volatile

memory are loaded into user default area in EEPROM which is inherently loaded into volatile

memory] in response to a lack of operating data [user has not yet set any conditions for operating

parameter][col. 8, lines 35 – 67, col. 9, lines 1 – 4, lines 20 - 55].

13.   As to claims 10 - 11, 21 – 22, and 32 - 33, Anderson teaches the communication of

external host computer [850] to electronic imaging device enables setting of operating

parameters from external host computer therefore, he teaches necessary components for

transmitting and methods of operation too [col. 7, lines 52 – 55].

14.   As to claim 34, Anderson discloses to generate a command directly from special

parameter scripts [862] provided on removable memory [354] therefore, he teaches other types

of commonly known storage medium as a compact disc, floppy disc, a hard disc, a digital video

disk, a magnetic disc, and a semiconductor memory too [col. 7, lines 53 – 55].

15.   Applicant's arguments with respect to claims 1- 34 have been considered but are moot in

view of the new ground(s) of rejection.

Conclusion

16.   Applicant's amendment necessitated the new ground(s) of rejection presented in this

Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a).

Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE

MONTHS from the mailing date of this action. In the event a first reply is filed within TWO

MONTHS of the mailing date of this final action and the advisory action is not mailed until after

the end of the THREE-MONTH shortened statutory period, then the shortened statutory period

will expire on the date the advisory action is mailed, and any extension fee pursuant to 37

CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event,

however, will the statutory period for reply expire later than SIX MONTHS from the date of this

final action.

Any inquiry concerning this communication or earlier communications from the

examiner should be directed to Nitin C. Patel whose telephone number is 703-305-3994. The

examiner can normally be reached on 8:00am - 4:30pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, Lynne H. Brown can be reached on 703-308-1159. The fax phone number for the

organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent

Application Information Retrieval (PAIR) system. Status information for published applications

may be obtained from either Private PAIR or Public PAIR. Status information for unpublished

applications is available through Private PAIR only. For more information about the PAIR

system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR

system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Nitin C. Patel
May 18, 2004

LYNNE H. BROWNE
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 3600 2100